

Environment Agency permitting decisions

Bespoke permit

We have decided to grant the permit for Cottam Ash Processing Plant operated by EDF Energy (Cottam Power) Limited.

The permit number is EPR/FP3532EG.

We consider in reaching that decision we have taken into account all relevant considerations and legal requirements and that the permit will ensure that the appropriate level of environmental protection is provided.

Purpose of this document

This decision document:

- explains how the application has been determined
- provides a record of the decision-making process
- shows how all relevant factors have been taken into account
- justifies the specific conditions in the permit other than those in our generic permit template.

Unless the decision document specifies otherwise we have accepted the applicant's proposals.

Structure of this document

- Annex 1 the decision checklist
- Annex 2 the consultation and web publicising responses.

Annex 1: decision checklist

This document should be read in conjunction with the Duly Making checklist, the application and supporting information and permit/ notice.

Aspect considered	Justification / Detail	Criteria met
		Yes
Consultation		
Scope of consultation	The consultation requirements were identified and implemented. The decision was taken in accordance with RGN 6 High Profile Sites, our Public Participation Statement and our Working Together Agreements.	✓
Responses to consultation and web publicising	The web publicising and consultation responses (Annex 2) were taken into account in the decision. The decision was taken in accordance with our guidance.	✓
Operator		
Control of the facility	We are satisfied that the applicant (now the operator) is the person who will have control over the operation of the facility after the grant of the permit. The decision was taken in accordance with EPR RGN 1 Understanding the meaning of operator.	✓
The facility		
The regulated facility	The regulated facility is a separate installation located within Cottam Power Station permit (EPR/SP3535LT) boundary.	✓
European Directives		
Applicable directives	All applicable European directives have been considered in the determination of the application.	✓
The site		
Extent of the site of the facility	The operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility. A plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary.	✓
Biodiversity, Heritage, Landscape and Nature Conservation	The application is within the relevant distance criteria of Cottam Wetlands Local Wildlife Site and a habitat for great crested newts. A full assessment of the application and its potential to affect the site/species has been carried out as part of the permitting process. We consider that the application will not affect the features of the site/species.	

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>The operator has appropriate measures in place to control airborne ash.</p> <p>Great crested newts utilise both ponds and terrestrial habitats but nature of the land (short, amenity grassland) for proposed PFA/FBA storage/treatment area is unlikely to provide suitable terrestrial habitat for these protected species.</p>	
Planning permission	The operator has applied for a planning permission.	✓
Site condition report	<p>The operator has provided a description of the condition of the site.</p> <p>We consider this description is satisfactory. The applicant has chosen not to carry out intrusive investigations to collect baseline data. This is because they suggest there is no history of pollution incidents/contamination having occurred at the location. The PFA/FBA processing site is located within the permit boundary for Cottam Power Station but on the area that has remained undeveloped.</p> <p>The decision was taken in accordance with our guidance on site condition reports and baseline reporting under IED– guidance and templates (H5).</p>	✓
Environmental Risk Assessment and operating techniques		
Environmental risk	<p>We have reviewed the operator's assessment of the environmental risk from the facility.</p> <p>The operator's risk assessment is satisfactory.</p> <p>Based on the information in the application the dust is the most significant environmental risk from the installation. Therefore the operator's dust monitoring and management measures are incorporated to Table S1.2 Operating Techniques in the permit.</p>	✓
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant technical guidance notes (TGN).</p> <ul style="list-style-type: none"> • Sector Guidance Note (IPPC S5.06) 	✓

Aspect considered	Justification / Detail	Criteria met Yes
	<ul style="list-style-type: none"> • How to comply with your environmental permit <p>The proposed techniques are mainly in line with the benchmark levels contained in the TGN and we consider them to represent appropriate techniques for the facility.</p> <p>We are satisfied that the composition of the waste is well characterised in terms of chemical constituents and variability. The wastes arise from a known source, from the operations of the Cottam Power Station. No waste is accepted from any other source. Records are kept of the quantities and types of the wastes accepted.</p> <p>We are satisfied that the treatment of the wastes has a clear end-point objective. Outputs from the treatment process are able to be used as non-waste products in accordance with PFA Quality Protocol. There are no effluents or waste produced from the treatment process.</p> <p>However, the proposed techniques for containment depart from the benchmark levels contained in the TGN. No impermeable surfacing is proposed for the waste storage/treatment areas. The waste is stored directly on the ground and treatment carried out on a working platform engineered using PFA/FBA in accordance with the Regulatory Position Statement 172. We have considered the operator's justification for departure from the guidance and accept it. The risk to groundwater and surface water from the PFA/FBA processing plant is considered negligible. The nature of the PFA and FBA is well characterised. They are relatively inert and non-leachable wastes. The facility is located in a low risk area in terms of groundwater and the proposal to use PFA/FBA to construct a platform meets the requirements of the regulatory position statement 172 on the use of ash in construction.</p> <p>The permit conditions ensure compliance with relevant BREFs and BAT Conclusions.</p>	
The permit conditions		
Raw materials	We have specified limits and controls on the use of raw materials and fuels.	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
Waste types	<p>We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility.</p> <p>We are satisfied that the operator can accept these wastes for the following reasons:</p> <p>The waste types reflect the authorised activities and they arise from one defined source.</p>	✓
Incorporating the application	<p>We have specified that the applicant must operate the permit in accordance with descriptions in the application, including all additional information received as part of the determination process.</p> <p>These descriptions are specified in the Operating Techniques table in the permit.</p>	✓
Emission limits	<p>There are no point source emissions from the installation. Therefore we have not set emission limits in the permit.</p>	✓
Monitoring	<p>There are no monitoring requirements in the permit.</p>	✓
Reporting	<p>We have specified reporting in the permit.</p>	✓
Operator Competence		
Environment management system	<p>There is no known reason to consider that the operator will not have the management systems to enable it to comply with the permit conditions. The decision was taken in accordance with RGN 5 on Operator Competence.</p>	✓
Technical competence	<p>Technical competency is required for activities permitted. The operator is a member of an agreed scheme.</p>	✓
Relevant convictions	<p>The National Enforcement Database has been checked to ensure that all relevant convictions have been declared.</p> <p>No relevant convictions were found.</p> <p>The operator satisfies the criteria in RGN 5 on Operator Competence.</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
Financial provision	There is no known reason to consider that the operator will not be financially able to comply with the permit conditions. The decision was taken in accordance with RGN 5 on Operator Competence.	✓

Annex 2: Consultation and web publicising responses

Summary of responses to consultation and web publication and the way in which we have taken these into account in the determination process.

Response received from
Public Health England (PHE)
Brief summary of issues raised
PHE confirmed that they have no significant concerns regarding the risk to the health of local population from the installation.
Summary of actions taken or show how this has been covered
No action required.

Response received from
Health and Safety Executive (HSE)
Brief summary of issues raised
HSE confirmed that they have no comments to make.
Summary of actions taken or show how this has been covered
No action required.